

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

In re:

Case No. 15-41170

MacDONWALD STUART MALCOLM,  
and JAMIE JUNE MALCOLM,

Chapter 7

Judge Thomas J. Tucker

Debtors.

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**ORDER DENYING DEBTORS' APPLICATION TO WAIVE  
THE CHAPTER 7 FILING FEE**

This case is before the Court on the Debtors' Application to Waive the Chapter 7 Filing Fee, filed January 29, 2015 (Docket # 7). The Court will not grant this Application because it appears from Debtors' Schedules B and C that as of the petition date, Debtors may have had sufficient exempt assets from which to pay the filing fee, namely, a 2014 income tax refund with a value stated as "[u]nknown." In addition, Debtors' Schedule I and Schedule J are inconsistent. Debtors cannot actually have monthly expenses of \$2,070.00 with \$0.00 income (including nothing for Schedule I, lines 8 and 11).

This Order is without prejudice to Debtors' right to file a new Application, if and after Debtors amend Schedules B and C to specify the actual or estimated amount of the "2014 income tax refund" rather than stating that its value is "[u]nknown," and amended Schedules I and J, provided that Debtors do so no later than February 19, 2015. If Debtors do so, the Court will, at that time, revisit the issue of whether to waive the Chapter 7 filing fee.

IT IS FURTHER ORDERED that the filing fee must be paid in installments by the following dates:

1st installment of \$112 due	February 20, 2015
2nd installment of \$112 due	March 20, 2015
last installment of \$111 due:	April 20, 2015

**Signed on February 06, 2015**

/s/ Thomas J. Tucker

**Thomas J. Tucker**  
**United States Bankruptcy Judge**